

November 29, 2006



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 9388  
(ELEVENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of DOT Specification tank cars which have had the amount of liquefied gas loaded into the tank measured by a metering device. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.314(e) in that the amount of liquefied gas loaded into a tank car is measured by a metering device.
5. BASIS: This special permit is based on the application of Agrium U.S. Incorporated dated May 13, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	N/A

7. SAFETY CONTROL MEASURES: Prescribed packagings are DOT Specification tank car tanks authorized for the transportation of ammonia solution and anhydrous ammonia, which have been loaded by the use of a metering device.

8. SPECIAL PROVISIONS:

a. Each tank car must be loaded using Agrum U.S., Incorporated's "Tank Car Loading Procedure" submitted by the applicant's letter of November 26, 1985 or Koch Nitrogen Company's "Rail Car Loading Procedure for Anhydrous Ammonia" dated March 12, 2004. A copy of these procedures must be available at each location where such loading takes place.

b. One out of every ten tank cars loaded by the use of the metering device must be gauged utilizing the fixed gauging equipment on the tank car to verify by calculation the amount of ammonia solution or anhydrous ammonia contained in the tank car.

c. The following information must be maintained and be made available to any representative of the DOT upon request for each tank car operated under the terms of this special permit:

- (1) Date loaded
- (2) Date shipped
- (3) Tank car reporting marks
- (4) DOT Specification
- (5) Tank car stenciled shell capacity (gallons)
- (6) Tank car stenciled tare weight (pounds)
- (7) Outage or innage table number
- (8) Water capacity of tank car (pounds)
- (9) Maximum permitted filling density (see §173.314 Table note 25)

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- (10) Specific gravity of  $\text{NH}_3$  (@105°F=0.5796 and @115°F=0.5706)
- (11) Tank car outage (inches/gallons)
- (12) Gallons of liquid ammonia in tank car
- (13) Quantity of vapor ammonia in tank car
- (14) Total calculated ammonia (liquid & vapor) in tank car (pounds)

d. MARKING - Each tank car tank must be plainly marked "DOT-SP 9388" in letters and numerals at least four inches high on a contrasting background above the DOT Specification marks.

e. Packagings permanently marked 'DOT-E 9388', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 9388'.

d. Shipping papers displaying 'DOT-E 9388' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident such as derailment of exterior tank car damage, occurs during the movement by contacting the:

Federal Railroad Administration  
Office of Safety, Assurance and Compliance  
RRS-12, Mail Stop 25  
1120 Vermont Avenue, N.W.  
Washington, D.C. 20005  
(202) 493-6247 or (202) 493-6229

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Schoonover/sln